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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/633,920	08/04/2003	Paul Spivak	SPV-10-5707

DRIGGS, LUCAS, BRUBAKER & HOGG CO., L.P.A.  
DEPT. DLBH  
8522 EAST AVENUE  
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CONFIRMATION NO.  
4940

Date Mailed: May 20, 2004

**Decision Dismissing Petition under 37 CFR 1.138(c)**  
*The declaration of express abandonment will not be recognized*

This is in response to the petition under 37 CFR 1.138(c) filed on March 17, 2004, for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

- ☐ The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
- ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
- ☒ The Application was published on April 22, 2004, in compliance with 35 U.S.C. 122(b), the publication number is US20040075065A1, and it is available on the USPTO web site at <http://www.uspto.gov/patft/index.html>.

The application **has/will be published** as scheduled.

Telephone inquiries should be directed Office of Patent Publication, PGPub Division,  
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